

FORM PTO-1390  
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

7885.55USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/125751

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/NO97/00074

March 12, 1997

March 13, 1996

TITLE OF INVENTION

METHOD OF KILLING TARGET CELLS IN HARVESTED CELL POPULATIONS WITH ONE OR MORE IMMUNOTOXINS

APPLICANT(S) FOR DO/EO/US

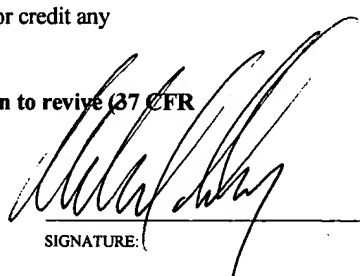
Oystein FODSTAD; Gunnar KVALHEIM; Siri JUELL; Meng Yu WANG; Olav ENGEBRATEN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An unsigned oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: International Preliminary Examination Report

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO. PCT/NO97/00074		ATTORNEY DOCKET NUMBER 788 USWO	
17. <input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS</b> PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):</b> Search Report has been prepared by the EPO or JPO.....\$930.00  International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1)).....\$720.00  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(3)) paid to USPTO ..... \$1,070.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$98.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$1,070.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	12 -20 = 0		X \$22.00	\$0	
Independent claims	1 -3 = 0		X \$82.00	\$0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,070.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$1,070.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$1,070.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				\$1,070.00	
				Amount to be:	
				refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,070.00</u> to cover the above fees is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2725</u> . A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO: Michael B. Lasky MERCHANT & GOULD 3100 Norwest Center 90 South Seventh Street Minneapolis, MN 55403					
SIGNATURE:  Michael B. Lasky NAME 29,555 REGISTRATION NUMBER					

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FODSTAD et al.  
 Docket: 7885.55USWO  
 Title: METHOD OF KILLING TARGET CELLS IN HARVESTED CELL POPULATIONS WITH ONE OR MORE IMMUNOTOXINS


09/125751

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL039318435US

Date of Deposit: August 25, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By:   
 Name: Mark Green

BOX PATENT APPLICATION  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 32 pgs; 12 claims; Abstract 1 pgs.  
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ Small entity status will be established at a later date
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ A check in the amount of \$1070.00 to cover the Filing Fee
- ☒ Other: International Preliminary Examination Report; Preliminary Amendment; Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)
- ☒ Return postcard

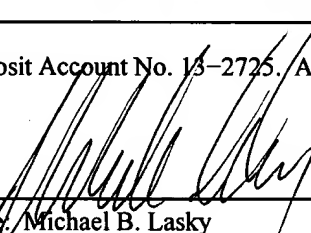
## CLAIMS AS FILED

Number of Claims Filed		In Excess of:		Number Extra		Rate		Fee
Basic Filing Fee								\$1070.00
Total Claims								
12	-	20	=	0	x	0.00	=	\$0.00
Independent Claims								
1	-	3	=	0	x	0.00	=	\$0.00
MULTIPLE DEPENDENT CLAIM FEE								\$0.00
TOTAL FILING FEE								\$1070.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT

3100 Norwest Center, Minneapolis, MN 55402  
 (612) 332-5300

By:   
 Name: Michael B. Lasky  
 Reg. No.: 29,555  
 Initials: MBL/sef